

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
	Ken Tsuzuki et al.	)
		)
Serial No.:	10/523,665	) Art Unit
		) 2873
Filed:	February 4, 2005	)
		)
Confirmation No.:	8452	)
		)
For:	SEMICONDUCTOR OPTICAL MODULATOR (AMENDED)	)
		)
Examiner:	Timothy J. Thompson	)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant concurs with the Examiner's conclusion in the Examiner's Statement of Reasons for Allowance as set forth in the communication mailed on November 29, 2007, that the prior art does not suggest or render obvious the claimed invention. However, Applicant respectfully submits that the claimed invention as set forth in each of the independent claims and the dependent claims must be read as a whole, and not as a single feature or subcombination of features which represent less than the entirety of the claimed invention as a whole. While a particular feature or subcombination of features referred to by the Examiner in the Statement of Reasons for Allowance may represent a basis for distinguishing the claimed invention over the prior art, Applicant submits that this may not necessarily be the *sole* ground for distinguishing the claimed invention over the prior art of record. Accordingly, the Examiner's statement should, in Applicants' view, not be read as constituting or meaning that the invention can or should be reduced to a single "feature" of the

invention or to a subcombination of features that is less than the entire invention claimed as a whole, nor that the single feature referenced by the Examiner or subcombination of features referenced by the Examiner in the Statement of Reasons for Allowance is the only or sole grounds for distinguishing the invention over the prior art of record.

Dated this 12<sup>th</sup> day of February 2008.

Respectfully submitted,

/Dana L. Tangren/ Reg # 37246

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LETTER TO THE EXAMINER

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This letter is simply a reminder that the title for the above-identified patent application was amended in the response filed on April 4, 2007 to recite “SEMICONDUCTOR OPTICAL MODULATOR.” This amended title is not reflected on the current Fee(s) Transmittal but the applicant understands that it will be reflected on the issued patent.

If there are any questions with regard to the amendment to the title, the Examiner is respectfully requested to contact the undersigned.

Dated this 12<sup>th</sup> day of February 2008.

Respectfully submitted,

/Dana L. Tangren/ Reg. # 37246

DANA L. TANGREN

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